



## MEMPHIS & SHELBY COUNTY BOARD OF ADJUSTMENT

125 North Main Street, City Hall, Room 468  
MEMPHIS, TENNESSEE 38103

### APPLICATION FOR CONDITIONAL USE PERMIT APPROVAL (SIGNIFICANT NEIGHBORHOOD STRUCTURE)

Property Owner of Record: \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Property Owner E-Mail Address: \_\_\_\_\_

Applicant (if not property owner): \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Applicant E-Mail Address: \_\_\_\_\_

Representative: \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Representative E-Mail Address: \_\_\_\_\_

Engineer/Surveyor/Architect: \_\_\_\_\_ Phone #: \_\_\_\_\_

(Add additional sheets if including more than one entity)

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Engineer/Surveyor/Architect E-Mail Address: \_\_\_\_\_

**PREMISES LOCATION** (Describe by street address & directional location description, e.g. 200 Johnson Street, North side of Johnson Street, 100 feet east of Brown Street) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	_____	_____	_____
Existing Zoning:	_____	_____	_____
Existing Use of Property	_____	_____	_____
Requested Use of Property	_____	_____	_____

I (we) hereby make application for approval of the Conditional Use Permit being sought from described above and on the accompanying materials.

I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Board of Adjustment at the next available hearing date.

I (We), owner(s) of the above described property hereby authorize the filing of this application and the above-named persons to act on my behalf.

_____ <b>*Property Owner of Record</b>	_____ <b>Date</b>	_____ <b>Applicant (if not property owner)</b>	_____ <b>Date</b>
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\*The Property Owner of Record shall sign if they are not the applicant.

**PROVIDE AN EXPLANATION TO THE FOLLOWING CRITERIA:**

*(Please respond to **ALL** points listed below. Additional sheets may be added as needed)*

**UDC Sec. 9.24.9B: Criteria for Consideration Conditional Use Permit**

A Significant Neighborhood Structure is defined as a structure that was originally constructed as a non-residential structure, its appurtenances and the associated property that has historical, cultural, architectural, or civic value and/or importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of its neighborhood; and that meets one or more of the following criteria (please address each sub-section below; provide additional information on a separate sheet of paper if needed or include in Letter of Intent):

1. It is recognized as a significant element of the neighborhood and/or community;
2. It embodies characteristics that distinguish it from other structure of the neighborhood and/or community;

3. It is considered historically or architecturally significant;
4. Rezoning the property on which the structure exists to a general zoning district inconsistent with surrounding or adjacent properties would have a significant negative impact to the neighborhood and/or community;
5. Retaining the features of the structure is important in maintaining the traditional neighborhood fabric;
6. Retaining the structure will help to preserve the variety of buildings and structures historically present within the neighborhood, recognizing that such structure may be differentiated by age, function and architectural style in the neighborhood and/or community;
7. Retaining the structure will help to reinforce the neighborhood and/or community's traditional and unique character.

**GUIDE FOR SUBMITTING  
CONDITIONAL USE PERMIT – SIGNIFICANT NEIGHBORHOOD STRUCTURE  
APPLICATION**

- A. **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the Site/Concept Plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:
- 1) This application, 8.5"x11" Site/Concept Plan, Plot Plan, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" Site/Concept Plan (folded), copy of Deed(s).
  - 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

*For additional information concerning these requirements contact Land Use Control Section at:  
(901) 636-6619*

- B. **LETTER OF INTENT** - The letter shall include the following:
- 1) A brief narrative statement generally describing the nature, location and extent of the development and the market it is intended to serve.
  - 2) A list of any professional consultants associated with the proposed development.
  - 3) A written statement generally describing the relationship of the proposed development to the current policies and plans of the City and County. The statement shall include how the proposed development is to be designed, arranged and operated in order to limit impact to neighboring properties.
  - 4) A description of the applicant's planning objectives and the approaches to be followed in achieving those objectives.

C. **REGISTERED LAND SURVEYOR'S SURVEY:**

Two (2) copies of a survey (of recent origin showing everything existing on the subject property at the time of filing, and in no instance can it be over one year old) of the subject property, drawn to an engineering scale by a registered land surveyor (licensed in Tennessee), on 8 ½ x 11 inches sheets. The survey must indicate the dimensions and location of all existing structure(s) and improvement(s); property dimensions and amount of land area; dimensions and location of off-street parking facilities and curb cut(s); and the established setbacks of the existing structure(s) on the site and on the adjoining properties. (Please Note: The requirements for a survey may be waived by the Planning Director.)

- D. **SIGNIFICANT NEIGHBORHOOD STRUCTURE DEVELOPMENT PLAN:** Two (2) copies of a Development Plan, as described in Paragraph 9.24.9C of the Unified Development Code. The Development Plan shall include all of the following (unless waived by the Planning Director on a case-by-case basis):
1. A site plan of the proposed SNS, including underlying existing zoning districts;
  2. The location, orientation, and size of all existing and proposed structures, features and other elements and associated parking spaces;

3. The location of any structure on any property adjacent to the boundaries of the district;
4. The type, location, number and size of all significant existing and proposed vegetation;
5. The location, height and type of all existing and proposed fences or walls;
6. The location of any accessory structures for refuse collection, recycling or feature maintenance;
7. The location of all existing and proposed access points, loading areas and drive-thru lanes;
8. The location and name of all existing streets and alleys;
9. Photographs of all relevant site conditions, buildings, and other features;
10. Tabular data identifying the specific existing and proposed uses and square footage; structure height(s) and parking spaces;
11. Certification by a civil engineer, architect, or landscape architect directly involved in the preparation of the development plan.

E. **VICINITY MAP**

Two (2) copies showing the subject property (boldly outlined) and all parcels within a 500' radius. If the 500' radius includes less than 25 property owners, the radius shall be extended at 100' intervals to reach a minimum of 25 property owners provided, however, that the maximum total radius is 1,500'. Show for each parcel its dimensions, owner's name (on the vicinity map unless prior approval is given to do otherwise) and the public streets, alleys or private drives that it abuts. In situations where the parcels on the map are so small that the property owner's names are unable to fit and numbered legend is used, every effort should be made to place the legend on the map itself and not a separate sheet.

F. **LIST OF NAMES AND ADDRESSES**

- 1) Two (2) complete lists of names and mailing addresses, including zip codes, of all owners shown on the vicinity map, typewritten on 1"x 2<sup>5/8</sup>" self-adhesive mailing labels and 2 paper sets.
- 2) Two (2) self-adhesive mailing labels (1"x 2<sup>5/8</sup>") each for the owner of record, applicant, representative and/or engineer/surveyor.

G. **FILING FEES**

*(All Fees Are Subject to Change without Prior Notice)*

Residential	\$150
Nonresidential	\$500
Intergovernmental	\$300

*Please make check payable to "M/SC Office of Planning and Development"*

**\*ALL APPLICATIONS MUST BE SUBMITTED IN PERSON  
AND THE SUBMITTER MUST RECEIVE A RECEIPT OF  
ACCEPTANCE FROM STAFF**